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17 Attorneys for Defendants *Twitter, Inc., Jack Dorsey and Ned Segal*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

IN RE TWITTER, INC. SECURITIES  
LITIGATION

Case No.: 4:19-cv-07149-YGR

### This Document Relates To:

**DECLARATION OF SUSAN E. ENGEL IN  
SUPPORT OF DEFENDANTS' MOTION TO  
DISMISS THE CONSOLIDATED CLASS  
ACTION COMPLAINT**

Date: October 13, 2020

Date: October 11

Time: 2:00 p  
Courtroom: 1

Hon: Yvonne Gonzalez Rogers

1 I, Susan E. Engel, declare as follows:

2 1. I am an attorney duly licensed to practice law in the District of Columbia and am  
 3 admitted *pro hac vice* to this Court. I am a partner with the law firm of Latham & Watkins LLP,  
 4 counsel of record for Twitter, Inc. (“Twitter”), Jack Dorsey and Ned Segal (collectively  
 5 “Defendants”) in the above-captioned matter. I have personal knowledge of the facts set forth  
 6 below and, if called as a witness in a court of law, could and would testify competently thereto.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of Twitter, Inc.’s Form 10-  
 8 K for the period ended December 31, 2018, which was filed with the Securities and Exchange  
 9 Commission on February 21, 2019.

10 3. Attached hereto as Exhibit 2 is a true and correct copy of a screenshot of a Tweet  
 11 entitled “Twitter Support on Twitter,” available at  
 12 <https://twitter.com/TwitterSupport/status/1158876245716697089> (last accessed June 10, 2020).

13 4. Attached hereto as Exhibit 3 is a true and correct copy of a webpage entitled “An  
 14 issue with your settings choices related to ads on Twitter,” available at  
 15 <https://help.twitter.com/en/ads-settings> (last accessed June 3, 2020);

16 5. Attached hereto as Exhibit 4 is a true and correct copy of the Quarterly Report on  
 17 Form 10-Q of Twitter, Inc. for the period ended September 30, 2019, as filed with the SEC on  
 18 October 29, 2019.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of the Q2 2019  
 20 Shareholder Letter of Twitter, Inc., Exhibit 99.1 to the Form 8-K, filed with the SEC on July 26,  
 21 2019.

22 7. Attached hereto as Exhibit 6 is a true and correct copy of the Quarterly Report on  
 23 Form 10-Q of Twitter, Inc. for the period ended June 30, 2019, as filed with the SEC on July 31,  
 24 2019.

25 8. Attached hereto as Exhibit 7 is a true and correct copy of the transcript of Twitter,  
 26 Inc.’s Question and Answer Presentation at the Citi Global Technology Conference 2019, dated  
 27 September 4, 2019, available for download from

1 [https://s22.q4cdn.com/826641620/files/doc\\_downloads/2019/Citi-2019-Transcript.pdf/](https://s22.q4cdn.com/826641620/files/doc_downloads/2019/Citi-2019-Transcript.pdf/)  
2 (downloaded on June 3, 2020).

3 9. Attached hereto as Exhibit 8 is a true and correct copy of the Responses and  
4 Objections to KBC Asset Management NV's Fifth Set of Interrogatories to Defendant Twitter,  
5 Inc., filed as Exhibit 20 to Plaintiffs' Opposition to Defendants' Motion for Summary  
6 Judgment, *In re Twitter, Inc. Securities Litigation*, Case No. 4:16-CV-05314-JST(SK) (N.D.  
7 Cal. filed Sept. 16, 2016) (Dkt. No. 413-6).

8 10. Attached hereto as Exhibit 9 is a true and correct copy of the Declaration of  
9 Michael Nierenberg, filed as Exhibit 1 to Defendants' Administrative Motion to File Under Seal  
10 Defendants' Motion for Summary Judgement, *In re Twitter, Inc. Securities Litigation*, Case No.  
11 4:16-CV-05314-JST(SK) (N.D. Cal. filed Sept. 16, 2016) (Dkt. No. 340-1).

12 11. Attached hereto as Exhibit 10 is a true and correct copy of the Statement of  
13 Changes of Beneficial Ownership of Securities on Form 4 of Twitter, Inc. on behalf of Ned D.  
14 Segal, as filed with the SEC on August 14, 2019.

15 12. Attached hereto as Exhibit 11 is a true and correct copy of the Statement of  
16 Changes of Beneficial Ownership of Securities on Form 4 of Twitter, Inc. on behalf of Ned D.  
17 Segal, as filed with the SEC on September 3, 2019.

18 13. Attached hereto as Exhibit 12 is a true and correct copy of the Statement of  
19 Changes of Beneficial Ownership of Securities on Form 4 of Twitter, Inc. on behalf of Ned D.  
20 Segal, as filed with the SEC on September 12, 2019.

21 14. Attached hereto as Exhibit 13 is a true and correct copy of the Statement of  
22 Changes of Beneficial Ownership of Securities on Form 4 of Twitter, Inc. on behalf of Ned D.  
23 Segal, as filed with the SEC on October 9, 2019.

24 I declare under penalty of perjury that the foregoing is true and correct.  
25 Executed on June 12, 2020 at District of Columbia.

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By: /s/ Susan E. Engel  
Susan E Engel